

(5) A LAWN MOWER, SNOWBLOWER, GARDEN OR LAWN TRACTOR, OR GOLF CART WHILE BEING USED FOR ITS DESIGNED PURPOSE.

(C) PROHIBITED.

EXCEPT AS OTHERWISE ALLOWED BY LAW, A PERSON MAY NOT USE AN OFF-ROAD VEHICLE ON PROPERTY KNOWN BY THE PERSON TO BE OWNED OR LEASED BY THE STATE OR A POLITICAL SUBDIVISION.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 576(c)(2) and 577(a)(4) and (b).

Subsection (b) of this section is revised as a scope provision excluding the application of this section from certain on-road and off-road vehicles. This corrects the usage of the former defined term "off-road vehicle", which included on-road vehicles, and excluded the on-road and off-road vehicles listed in this subsection.

In subsection (b)(1) of this section, the reference to a "vessel" is substituted for the former reference to a "boat" for consistency with other revised articles.

In subsection (b)(3) of this section, the reference to construction equipment used for "agricultural purposes or earth moving" is substituted for the former reference to "those purposes" for clarity. Similarly, in subsection (b)(5) of this section, the reference to a lawn mower, snowblower, garden or lawn tractor "while being used for its designed purpose" is added for clarity.

In subsection (c) of this section, the reference to property "known by the person" to be owned or leased by a public entity is substituted for the former phrase "with knowledge" to clarify that the person using the vehicle or off-road vehicle must know that the property is public, in order to be charged with violating this section. The Criminal Law Article Review Committee brings this substitution to the attention of the General Assembly.

Also in subsection (c) of this section, the former reference to "operat[ing]" an off-road vehicle is deleted as included in the reference to "us[ing]" a vehicle or off-road vehicle.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in subsection (c) of this section, the reference to an "off-road vehicle" is retained, although the term defined in § 6-401 of this section does not include the on-road vehicles that were included in the same term defined in the former law. Context appeared to limit the